



June 21, 2010

Owner Communities

Bridgton
Cape Elizabeth
Casco
Cumberland
Falmouth
Freeport
Gorham
Gray
Harrison
Hollis
Limington
Lyman
North Yarmouth
Ogunquit
Portland
Pownal
Scarborough
South Portland
Waterboro
Windham
Yarmouth

Associate Members

Baldwin
Hiram
Naples
Parsonfield
Porter
Saco
Standish

Recycling Members

Andover
Cornish
Monmouth
Old Orchard Beach
Poland
Readfield
Sanford
Wayne

Senator Seth A. Goodall
Natural Resources Committee
State of Maine
5 Church St
Richmond, Maine 04357

RE: Solid Waste Policy

Dear Senator Goodall:

This is in response to your request on June 14th for comments from interested parties regarding the Committee's review of state solid waste policy. **ecomaine** appreciates your efforts to understand and address the many issues related to solid waste. Thank you for the opportunity to offer these thoughts for your consideration.

The Committee's review has touched a number of issues. This letter provides information on several of those subjects and, where appropriate, our suggestions on how to proceed.

The Solid Waste Hierarchy

ecomaine strongly endorses the solid waste hierarchy set forth in Title 38 §2101, which identifies the preferred order of managing solid waste as reduce, reuse, recycle, composting, waste-to-energy and then landfilling. We encourage the Committee to implement aggressive incentives which support efforts to reduce, reuse and recycle waste.

ecomaine shares the Committee's concern that current policy makes landfilling, the lowest rung on the hierarchy, the disposal alternative with the lowest short-term tipping fee, but with the minimal energy recovery and the highest long-term environmental cost. We support the idea, advanced during the Committee's deliberations, of increasing or imposing a fee collected by the DEP for the disposal of raw waste into landfills and suggest that this fee be \$6.00 per ton, with the fee proceeds used to incentivize those disposal options higher in the hierarchy, including recycling, composting and Waste-to-Energy. Under current law, the \$2.00 surcharge on municipal solid waste doesn't usually apply to waste being landfilled under most circumstances. Therefore, current policy leaves no incentive on the solid waste hierarchy.

Out-of-state Waste

Maine solid waste policy has, for at least 20 years, sought to reduce the amount of out-of-state waste coming into Maine. **ecomaine** has consistently supported that goal, even though we have at times accepted out-of-state waste for a small portion of waste deliveries to our Waste-to-Energy facility. We would likely not have to accept any out-of-state waste if there wasn't so much in-state waste ending up at landfills. If state policy actively encouraged compliance with the waste hierarchy and provided a financial disincentive to disposal of raw waste in our

existing landfills, we wouldn't have to take any out-of-state waste, and, as an added benefit, the projected life of the landfills in the State would be significantly increased. Maine could reduce the amount of out-of-state waste by imposing or increasing the fee on the landfilling of raw waste by \$6.00 per ton. Not only would that improve our recycling rates, it would also discourage our landfills from filling up with raw waste that has little or no energy recovery from it.

Capacity

If the solid waste hierarchy was incentivized, our landfilled capacity requirements would be reduced. As the operator of a single sort recycling facility, a municipal Waste-to-Energy (WTE) plant and our own landfill, **ecomaine** is constantly monitoring the life expectancy of its landfill, which is primarily utilized for disposal of ash residue. We defer to SPO and DEP on estimates of statewide solid waste disposal capacity, but **ecomaine** can speak to our own situation. **ecomaine** has sufficient landfill capacity to meet its needs until 2038, mostly because of our commitment to the solid waste hierarchy, which emphasizes recycling and WTE over landfilling. While recycling eliminates the need for landfilling, one of the benefits of WTE is that it reduces the volume of waste by 90%, reducing the need for landfill space by the same amount.

State Ownership of Landfills

The Committee is currently considering some complex and contentious questions surrounding existing state policy on public ownership of new landfill capacity and the existing restrictions on expansion of existing commercial solid waste disposal facilities, including landfills. Major factors impacting this decision include projected landfill capacity, importation of out-of-state waste and the effectiveness of the solid waste hierarchy. As you analyze these issues, **ecomaine** requests the Committee keep in mind how the solid waste hierarchy will be impacted and develop policies that encourage the use of those disposal options in the higher levels of the list. Again, a \$6.00 fee on landfilling raw waste would result in reduced landfill capacity requirements for our State.

In summary, imposing or increasing the fee by \$6.00 per ton on landfilling raw solid waste would discourage out-of-state waste, would extend the life of our landfills, and would incentivize recycling, composting and waste-to-energy. This one step would finally allow us to use the waste hierarchy as it was intended and will have a positive outcome on our solid waste policies.

Please feel free to contact me at 773-1738 or at roche@ecomaine.org if you have any questions. Representatives from **ecomaine** will be at your meeting on June 22nd and will be available to address these matters and answer any other questions the Committee may have.

Sincerely,



Kevin Roche
General Manager